

State of New York
 Supreme Court, Appellate Division
 Third Judicial Department
 518-471-4777

SESSION CALENDAR FOR THURSDAY, OCTOBER 22, 2020

1:00 P.M. SESSION

GA CL D A RE

BENCH POSITION: AARONS, J., CLARK, J., GARRY, P.J., DEVINE, J., REYNOLDS FITZGERALD, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	529637**	ABELE TRACTOR & EQUIPMENT CO. v SCHAEFFER <i>Appellant</i> - John W. Bailey, Esq. Bailey Johnson & Peck, P.C. (Trustco Bank) <i>Respondent</i> - Linda Mandel Clemente, Esq. Mandel Clamente, P.C. (Abele Tractor & Equipment Co.)	10 10
(2)	529149**	MTGLQ INVESTORS v THOMPSON <i>Appellant</i> - William Thompson [Pro se] <i>Respondent</i> - Oran Schwager, Esq.	10 SUB
(3)	531100**	MATTER OF EMPIRE CTR. FOR PUBLIC POLICY v NYSERDA <i>Appellant</i> - Robert M. Goldfarb, Esq. AG Letitia James (NYSERDA) <i>Respondent</i> - Cameron J. MacDonald, Esq. Government Justice Center (Empire Center)	10 10
(4)	530000**	MATTER OF CORRECTION OFFICERS' BENEVOLENT ASSOC. v POOLE <i>Appellant</i> - Howard Wein, Esq. Koehler & Isaacs LLP (Corrections Officer, et al.) <i>Respondent</i> - Robert M. Goldfarb, Esq. AG Letitia James (New York State Office of Children and Family Services) <i>Respondent</i> - Elina Druker, Esq. James E. Johnson, Corp. Cnsl. (Bill De Blasio, et al.)	10 5 5

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Calendar No.	Case No.	Title	Time Allocated
(5)	530886**	FASCE v SMITHEM <i>Appellant</i> - Terry D. Horner, Esq. Feldman, Kleidman Coffey and Sappe LLP (Crystal Run) <i>Respondent</i> - Stanley A. Landers, Esq. Landers & Cernigliaro, P.C. (John Fasce)	10 5
(6)	529168	JP MORGAN CHASE BANK N.A. v KELLEHER	SUB
(7)	529888**	NEW YORK MUNICIPAL POWER AGENCY v TOWN OF MASSENA <i>Appellant</i> - Janet D. Callahan, Esq. Hancock Estabrook, LLP (Town of Messena, et al.) <i>Respondent</i> - Matthew W. O'Neil, Esq. Costello Cooney & Fearon PLLC (New York Municipal Power)	10 10
(8)	528066	MATTER OF JASON O.	SUB
(9)	530481	MATTER OF BARROS v JOHN P. PICONE, INC.	SUB
(10)	530282	MATTER OF JAEDYN U.	SUB
(11)	529901	MATTER OF SARMIENTO v EMPIRE CONTRACTING OF NY CORP.	SUB
(12)	110784	PEOPLE v MATTHEW J. ROMANELLI	SUB
(13)	109842	PEOPLE v KRISTEN BISHOP	SUB
(14)	529930	MATTER OF WALCZAK v ASPLUNDH TREE EXPERT CO.	SUB
(15)	529843	MATTER OF HLUSKA v CENT. NEW YORK PSYCHIATRIC CTR.	SUB

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**** To be argued remotely**